

REMARKS

This response is filed in supplement to the response of January 7, 2008 to the Final Office Action dated September 7, 2007. Claims 17, 18, 20–23 and 29–31 are pending.

Support for Claim Amendments

The amendments presented above have been made to recite particular features of the inventions so as to expedite the prosecution of the present application to allowance in accordance with the USPTO Patent Business Goals (65 Fed. Reg. 54603, September 8, 2000). These amendments do not represent an acquiescence or agreement with any of the outstanding rejections.

Claims 18, 20–22, 23 and 29–31 are canceled herein without prejudice. However, the cancellation of these claims does not represent acquiescence or agreement with any of the outstanding issues raised by the Examiner in the Final Action and Applicants reserve the right to file one or more continuation and/or divisional applications directed to the subject matter of the canceled claims. The issues raised by the Examiner in the Final Action are addressed hereinbelow.

Applicants believe that this amendment raises no new issues and place the claims in better condition for allowance or appeal. As such, Applicants respectfully request entry of the amendment above and further consideration of this application in view of the amendment above and the remarks below. The issues raised by the Examiner in the Final Action are further addressed hereinbelow and supplement the previous remarks presented in the response of January 7, 2008

Claim Rejections - 35 U.S.C. § 102

Claim 17 is rejected under 35 U.S.C. §102(b) as being anticipated by U.S. Application Publication No. 2002/0116920 (“Pfeifer et al.”).

Claim 17 is canceled herein without prejudice or disclaimer, thereby mooting the rejections based on § 102(b) and Applicants respectfully request this rejection be withdrawn.

Claim Rejections - 35 U.S.C. § 103

Claims 18, 20–23 and 29–31 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over Pfeifer et al. in view of U.S. Patent No. 5,397,545 to Balling et al. (“Balling et al.”). Applicants respectfully bring to the attention of the Examiner that the Final Action indicates that claim 19, which was canceled by a previous amendment, is pending. Applicants believe that this is an inadvertent oversight.

Claims 18, 20–23 and 29–32 are canceled herein without prejudice or disclaimer, thereby mooting the rejections based on § 103(a) and Applicants respectfully request this rejection be withdrawn.

Applicants respectfully bring to the attention of the Examiner that claims 33–38, presented in the response of January 7, 2008, are directed toward a catalyst configuration wherein said first catalyst (or upstream catalyst) comprises a chromium oxide. By the admission of the Examiner, the teachings of Pfeifer et al. do not disclose a first catalyst (or upstream catalyst) containing copper oxide and/or chromium oxide. Furthermore, Applicants present that the disclosures of Balling et al. are silent in regard to a catalyst configuration comprising a first catalyst, said first catalyst comprising a chromium oxide.

In view of the foregoing, Applicants thus present that the combination of the disclosures of Pfeifer et al. and Balling et al. do not teach all the elements of that which is instantly claimed. As such, Applicants present that the instant claims are allowable over the cited prior art

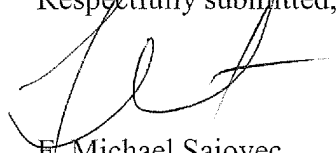
Attorney Docket No. 5576-159
Application Serial No.: 10/822,441
Filed: April 12, 2004

CONCLUSION

Accordingly, Applicants submit that the present application is in condition for allowance and the same is earnestly solicited. Should the Examiner have any small matters outstanding of resolution, he is encouraged to telephone the undersigned at 919-854-1400 for expeditious handling.

No fee is believed due with the filing of this paper. This amount is believed to be correct. However, the Commissioner is hereby authorized to charge any deficiency or credit any overpayment to Deposit Account No. 50-0220.

Respectfully submitted,

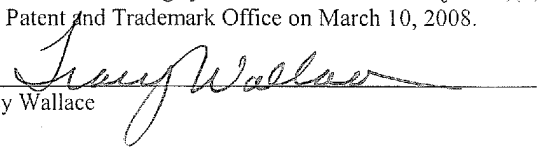


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CERTIFICATION OF TRANSMISSION

I hereby certify that this correspondence is being transmitted via the Office electronic filing system in accordance with § 1.6(a)(4) to the U.S. Patent and Trademark Office on March 10, 2008.



Tracy Wallace